THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No.8104 of 2007

20-04-2007

Between:

Penneru Srinivasa Rao.

Petitioner

And

The Revenue Divisional Officer,
Gudivada, Krishna district and another.

Respondents.

THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 8104 of 2007

Oral Order:

The petitioner's authorization to run a fair price shop in Vadlamannadu village, Gudlavalleru mandal, Krishna district was suspended pending enquiry on the ground that there were certain irregularities in the conduct of fair price shop. A case under Section 6-A of the Essential Commodities Act, 1955 (for short 'the Act') has also been initiated against the petitioner. After passing the order of suspension on 02-12-2006, however the first respondent has not taken any steps to conduct enquiry under the provisions of the Andhra Pradesh State Public Distribution System Control Order, 2001 in respect of the allegations on the basis of which the petitioner's authorization was

suspended pending enquiry. This is the singular complaint in the writ petition.

The first respondent cannot rest content that the proceedings have been initiated against the petitioner under Section 6A of the Act. If the petitioner's authorization is suspended for irregularities on the ground of violation of the Control Order or the terms of authorization, it is the obligation of the first respondent to issue a charge sheet and to conduct an enquiry expeditiously into the allegations which led to the order of suspension pending enquiry. This is an inescapable obligation.

Accordingly, the writ petition is disposed of directing the first respondent to expeditiously and in any event within thirty (30) days from the date of receipt of a copy of this order, initiate and conclude the enquiry into the allegations on the basis of which the petitioner's authorization was suspended pending enquiry by the order dated
02-12-2006. There shall be no order as to costs.

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GODA RAGHURAM, J

Dated: 20-04-2007